

Appl. No. 09/967,233
Amendment dated June 23, 2005
Reply to Office Action mailed January 24, 2005

Remarks/Arguments

Reconsideration of the subject application, as amended, is respectfully requested.

Claims 8-35 are pending in the subject application. Claims 1-7, corresponding to group 1 and characterized by the Examiner as drawn to an "on line search engine," are withdrawn pursuant to an election of species provisionally made by telephone, and hereby affirmed. Elected claims 8-35 correspond to group 2, characterized by the examiner as "on line vendor search processing."

The currently pending claims of the subject application are directed to methods for real-time online search processing. For example, independent claims 8 and 29 include the steps, among others, of accessing or maintaining a database having vendor descriptions for a plurality of vendors and which includes a "search form URL" for each of the plurality of vendors, descriptions of domains found in the vendor sites, and rules about how information is organized on each of the vendor sites. The methods also include the step of constructing or processing a search or comparison request using, *inter alia*, the information maintained in the database which includes the search form URLs. Also included is the step of extracting from information received from identified vendor sites, information in the native language of the site.

Rejection under 102(e) as anticipated by Lunenfeld

The Examiner has rejected claims 8-35 under 35 U.S.C. 102(e) as anticipated by Lunenfeld, USP 6,789,037. Applicant respectfully traverses this rejection.

Independent claims 8 and 29 are allowable over Lunenfeld for several reasons. Lunenfeld does not teach, suggest, or make obvious, a method as recited in claim 8 for real-time online search processing in which information in a database is accessed which includes vendor descriptions having information about each of a plurality of vendor sites, including "a search form URL for each of the plurality of vendor sites," and which information are used to construct search requests to identified vendor sites.

Appl. No. 09/967,233
Amendment dated June 23, 2005
Reply to Office Action mailed January 24, 2005

Similarly, as to claim 29, Lunenfeld does not teach, suggest or make obvious, a method for real-time online search processing in which information is maintained in a database which includes, among other information for each of a plurality of vendor sites, "search form URLs," "descriptions of domains," and "vendor descriptions that include generalized rules about how product information is organized on each of the vendor sites." Nor does Lunenfeld teach suggest or make obvious using such information about each of a plurality of vendor sites, to process parameters for price and product requests to identified vendor sites.

The Examiner has asserted at page 4 of the official action that Lunenfeld's PS server may also make "optional requests of optional offline databases" (citing col. 42:10), and that this "represents Applicant's offline database having vendor descriptions for a plurality of vendor sites including a URL for each of the sites, a search form URL (also see column 24, line 21 for search forms), description domain and generalized rules about how product information is organized." Applicant respectfully disagrees with the Examiner's characterization of Lunenfeld's disclosure. In particular, Applicant has not been able to find any teaching at the cited section of Lunenfeld that a "search form URL" for each of a plurality of vendors is maintained or used in the search processing. Specifically, at the cited column 24, line 21 of Lunenfeld, the referenced "Typical Service and/or Information Response Forms" appear to represent what Lunenfeld's system presents to the user. Clearly, this information is not a "search form URL" used by the system to construct or process search requests that are submitted to vendors. In the published subject application, for example, at paragraph 127, an example is provided of a search form URL:

"http://www.onlineshop.com/search.asp?item=."

As explained for the embodiment being described in paragraphs 126 to 129 of the published subject application, this search form URL for the particular vendor is used to construct a search request to that vendor from which the information is ultimately sought. It is respectfully submitted that Lunenfeld does not teach such a method.

Appl. No. 09/967,233
Amendment dated June 23, 2005
Reply to Office Action mailed January 24, 2005

As Lunenfeld is understood by Applicant, and as illustrated by Lunenfeld's Figs. 50A-50K, for example, Lunenfeld's disclosed system and method uses searching services such as AltaVista.com (Fig. 50G) or WebCrawler.com (Fig. 50D) or Lycos.com (Fig. 50J) to run searches. In turn, each of those search engines operating in their own particular unspecified fashion, searches various sites and return a list of hits with descriptions and links, including URLs for the hits, which are then presented to the user in the forms described and set forth in Lunenfeld's Figures 27A-52C. To obtain more information, it is believed that the user is required to click on the provided links, and manually follow the links to the ultimate point of interest for each of the sites.

Because Lunenfeld's system and method operates in the above fashion, the results returned cannot be said to present to the user "extracted price and product information" as recited in claims 8 and 29 of the subject application. Further, because the content of the search results returned will depend upon the information sources (such as caches) used by the various search engines, it is respectfully submitted that such results cannot be characterized as "real-time," as is recited in claims 8 and 29. Although the Examiner has cited column 7, lines 34-45 in Lunenfeld as representative of searching vendor sites for a price comparison, it is respectfully submitted that the cited passage only speaks of the capabilities of Lunenfeld's system, not the methodology used. When Lunenfeld's methods for obtaining such a comparison are scrutinized, such as set forth above, it become clear that Lunenfeld's approach is substantially different from that recited in claims 8 and 29, and the claims dependent therefrom.

Further, there is no teaching or suggestion in Lunenfeld that the information extracted in "in a native language of the site" as recited in claims 8 and 29.

For at least the foregoing reasons, independent claims 8 and 29, and dependent claims 9-28 and 30-35 as dependent from allowable base claims, are allowable over Lunenfeld, and the Examiner's indication to that end is respectfully solicited.

The dependent claims recite further features not taught, suggested or made obvious by Lunenfeld. For example, claim 9 recites that the general rules include

Appl. No. 09/967,233
Amendment dated June 23, 2005
Reply to Office Action mailed January 24, 2005

"delimiters which can uniquely identify the occurrence of price and associated information" in a vendor site. It is respectfully submitted that Lunenfeld does not teach such a feature.

As another example, claim 22 recites use of an "inductive learning method." An example of such "inductive learning" is described in the published subject specification at paragraphs 88-101 and 107-117 and Figures 3 through 10B.

A further example is claim 24 which recites that the inductive learning is domain independent. See, for example, paragraphs 102, 123 and 132-135 of the published subject application. It is respectfully submitted that Lunenfeld does not teach, suggest or make obvious such domain independence.

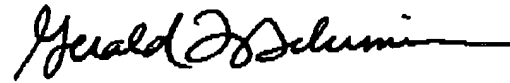
Conclusion

For the foregoing reasons, it is respectfully submitted that the subject application is in condition for allowance, and the Examiner's indication thereof is respectfully requested.

Respectfully submitted,
DLA Piper Rudnick Gray Cary US LLP

Dated: June 23, 2005

By:


Gerald T. Sekimura
Reg. No. 30,103
Tel.: (415) 836-2500

Attn. Patent Department
DLA Piper Rudnick Gray Cary US LLP
153 Townsend Street, Suite 800
San Francisco, CA 94107-1922